IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45964 of 2026

Arising Out of PS. Case No.-16 Year-2026 Thana- Excise P.S. District- Aurangabad

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Rakesh Yadav Son of Mahavir Yadav R/o Village- Jabda, P.S.- Hantarganj, District- Chatra (Jharkhand).

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr.Mukul Kumari
For the Opposite Party/s : Mr.Rajesh Kumar

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 10-07-2026 Heard the parties

2.The petitioner is named in the F.I.R. and apprehending his arrest in connection with Excise P.S. Case No. 16 of 2026 registered for the offences punishable under Section 30(a), 32(3) and 41(2) of Excise Act.

3. The allegation against the petitioner is to be engaged in illegal trading/manufacturing of illicit liquor, where, there is recovery of 68.400 litres of IMFL.

4. Learned counsel appearing on behalf of the petitioner submitted that illicit liquor was recovered from Auto bearing reg. no. BR02PB3766. It is submitted that petitioner is not the driver of the alleged vehicle from where illicit liquor was recovered and had no knowledge about the

consignment of illicit liquor, denying thereof conscious physical possession of the petitioner. It is submitted that petitioner is a man of clean antecedent.

5 Learned APP, opposed the prayer of bail.

6. In view of aforesaid factual and legal submission and by taking note of fact as recovery of illicit liquor *prima-facie* not appears to be made from the physical possession of the petitioner, who is a man of clean antecedent, accordingly petitioner above-named, in the event of his arrest or surrender before the court below within a period of four weeks, is directed to be released on bail, furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Spl. Judge Excise II, Aurangabad /concerned Court, where the case is pending in connection with Excise P.S. Case No. 16 of 2026, subject to the conditions as laid down under Section 482(2) of BNSS.

(Chandra Shekhar Jha, J)

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